

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

JEFFREY S. RAPP,

Plaintiff,

vs.

HAMPTON MANAGEMENT LLC,

Defendants.

CV 18-16-BU-BMM

**ORDER ADOPTING MAGISTRATE
JUDGE’S FINDINGS AND
RECOMMENDATIONS**

Defendant Hampton Inns Management LLC (“Hampton”) filed a Fed R. Civ P. 12(b)(6) motion to dismiss Plaintiff Jeffrey Rapp’s complaint. Plaintiff Rapp filed two pleadings titled “Demand for Summary Judgment,” and “Motion to Compell [sic] Truthful answers Participate in Mediation.”

United States Magistrate Judge Jeremiah Lynch issued Findings and Recommendations in this matter on July 24, 2018. (Doc. 35.) Judge Lynch recommended Hampton’s motion to dismiss be granted as to Rapp’s allegations of defamation that are predicated upon Robert Blom’s statements to the Department of Labor and workers’ compensation officials. Judge Lynch further recommended Hampton’s motion should be denied in all further respects. As to Rapp’s motions, Judge Lynch recommended that the motion for summary judgment be denied and

ordered Rapp's motion to compel denied as unsupported and unnecessary. Neither Party filed objections to Judge Lynch's Findings and Recommendations.

The Court has reviewed Judge Lynch's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Lynch's Findings and Recommendations, and adopts them in full.

IT IS ORDERED that Judge Lynch's Findings and Recommendations (Doc. 35), are **ADOPTED IN FULL**.

DATED this 29th day of August, 2018.



Brian Morris
United States District Court Judge